

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHAEL C. MAYO,

Plaintiff,

V.

LARRY GAVIN, KAREN JONES-HAYES,
DAMITA DELITZ, BRENDON
LOMBARDI, O. LOPEZ, E. PRESTON, J.
DELLIS, M. KIELIAN, AND JOHN DOES
1-7,

Defendants.

Case No. 1:21-cv-04653

Hon. Judge Robert M. Dow, Jr.
Mag. Judge M. David Weisman

PLAINTIFF'S MOTION FOR LEAVE TO CONDUCT EXPEDITED DISCOVERY

Plaintiff Michael C. Mayo hereby respectfully moves the Court for leave to conduct limited, expedited discovery pursuant to Fed. R. Civ. P. 26(d). Plaintiff’s expedited discovery is narrowly tailored to learn the identity of unascertained “John Doe” Defendants. In support of this motion, Plaintiff states as follows:

1. On February 11, 2022, Plaintiff filed his Amended Complaint in this action.

2. Plaintiff's Amended Complaint asserts claims against seven "John Doe"

Defendants. These Defendants are employees of the Cook County Department of Corrections who were involved with the response to the riot on April 29, 2020 and the transportation of Plaintiff to a different cell block following the riot.

3. Despite diligent efforts, Plaintiff has been unable to determine the identity of these Doe Defendants, or even the identity of counsel that will defend this case. On information and belief, Plaintiff believes the Defendants possess pertinent information that would help identify these Doe Defendants, and allow Plaintiff to amend his pleading to properly name all

Defendants. Because the statute of limitations will likely run on the John Doe defendants on May 14, 2022, and the later identification of these John Does will likely not relate back, expedited discovery is the only way that Plaintiff can identify the defendants that have violated his constitutional rights.

4. Plaintiff now moves for leave to serve expedited discovery aimed at identifying the Doe Defendants listed in his Amended Complaint. Plaintiff's discovery is narrowly tailored in scope and seeks only to identify the Doe Defendants through (1) limited interrogatories to the three supervisory Defendants (Mr. Gavin, Ms. Delitz, and Ms. Jones-Hayes), and (2) limited requests for documents, under Rule 45, to third party Cook County Sheriff's Office. *See* Exs. 1 & 2 to Pl.'s Mem. in Support of Mot. for Leave to Conduct Expedited Discovery.

WHEREFORE, as set forth more fully in the accompanying Memorandum of Law, Plaintiff respectfully requests that the Court grant his motion for leave to conduct expedited discovery, and allow him to serve the accompanying discovery on the supervisory Defendants and third party Cook County Sheriff's Office.

Dated: March 7, 2022

Respectfully submitted,

/s/ David J. Zott

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